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**RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE REQUESTED
EXAMINING GROUP 3738
PATENT**

Customer No. 22,852
Attorney Docket No. 08442.0002-04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Joseph C. Cauthen) Group Art Unit: 3738
Application No.: 10/085,040) Examiner: U. Chattopadhyay
Filed: March 1, 2002) MAIL STOP AF
For: INTERVERTEBRAL DISC)
ANNULUS STENT)

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

Enclosed is a reply to the Final Office Action of June 29, 2004. The items checked below are appropriate:

- Applicant hereby petition for a one-month extension of time to respond to the above Office Action. The fee of \$55.00 for the Extension is enclosed.

The claims are calculated below:

	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	Additional Fee
Total	42	-	44	0	x \$ 18	\$ 0
Indep.	1	-	3	0	x \$ 86	0
<input type="checkbox"/> First Presentation of Multiple Dep. Claim(s)					+\$290	0
					Subtotal	\$ 0.00
					Reduction by ½ if small entity	\$ 0.00
					TOTAL	\$ 0.00

A fee of \$55.00 to cover Petition for Extension of Time is enclosed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Dated: October 8, 2004

By: Tram Anh T. Nguyen
Tram Anh T. Nguyen
Reg. No. 47,257



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BOX AF

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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AFTER FINAL

In reply to the Final Office Action mailed June 29, 2004, the period for response having been extended to October 29, 2004 by a request for extension of one month and fee payment filed concurrently herewith, and pursuant to 37 C.F.R. § 1.116, Applicant proposes that this application be amended as follows:

Amendments to the Claims are reflected in the listing of claims in this paper.

Remarks/Arguments follow the amendment sections of this paper.